

#2

FORMALITIES LETTER



OC00000005119377

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/525,142	03/14/2000	Pablo Tamayo	2825.1014-001

Mary Lou Wakimura Esq
Hamilton Brook Smith & Reynolds PC
Two Millia Drive
Lexington, MA 02421-4799

skr
DOCKETED

Date Mailed: 05/16/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1128.
 - \$738 for 41 total claims over 20.
 - \$390 for 5 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1948.**

A copy of this notice MUST be returned with the reply.

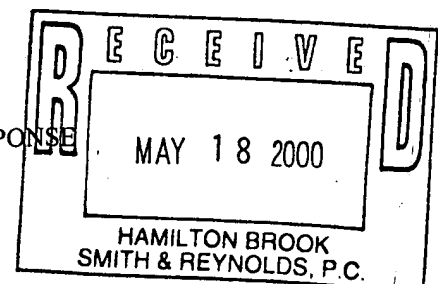
C. Moore

Customer Service Center
Initial Patent Examination Division (703) 308-1202

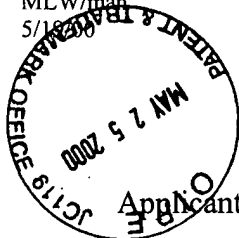
PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/30/2000 TTRAN1 00000036 09525142

01 FC:101	690.00 OP
02 FC:102	390.00 OP
03 FC:103	738.00 OP
04 FC:105	130.00 OP



MLW/man
5/18/00



SECTOR \$
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub
Application No.: 09/525,142 Group: 1635
Filed: March 14, 2000 Examiner: Not assigned
For: METHODS AND APPARATUS FOR ANALYZING GENE EXPRESSION DATA

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>5/23/00</u>	<u>Margaret A. Norcutt</u>
Date	Signature
Margaret A. Norcutt	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated March 16, 2000, the following documents and fees are being submitted for filing in the captioned application:

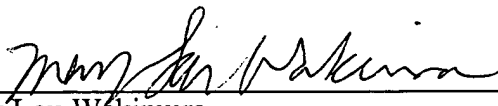
- ☒ **EXECUTED DECLARATION/POWER OF ATTORNEY** - A copy of the Notice is attached.
- ☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate.
- ☒ **SURCHARGE** - surcharge fee of \$130.00.
- ☐ **SEQUENCE LISTING** - Filed concurrently and is attached.
- ☐ **PETITION FOR EXTENSION OF TIME**
- ☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to [].
- The appropriate fee of \$[] is included in the enclosed check.

- ☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee.
- ☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.
- ☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.
- ☐ **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**
- ☐ Was filed on ☐.
- ☐ Is enclosed herewith.
- ☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$[1948]. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Mary Lou Wakimura
Registration No.: 31,804
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: 5/19/00

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS		Attorney Docket Number		2825.1014-001	
		Application Number		09/525,142	
		First Named Inventor		Pablo Tamayo	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	61 - 20* =	41	x \$ 18 =	\$ 738
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8 - 3** =	5	x \$ 78 =	\$ 390
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 690
				Total of above Calculations =	\$ 1818
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 1818
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 1948
<p>* Reissue claims in excess of 20 and over original patent</p> <p>** Reissue independent claims over original patent</p>					
<p>1. Small entity status:</p> <p>a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p>b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p>c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1948.00. <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380.</p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature		<i>Mary Lou Wakimura</i>		Date	
Submitted by Typed or Printed Name		Mary Lou Wakimura		Reg. Number	
				5/19/00	
				31,804	